

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

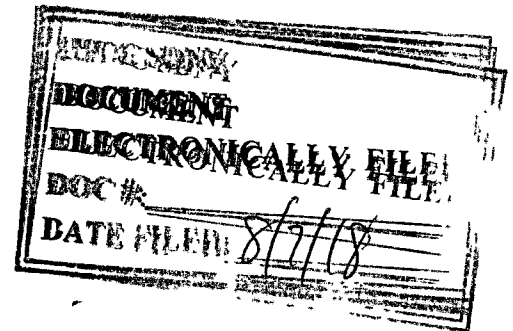
CAITLIN DULANY, LARISSA GOMES, and MELISSA THOMPSON, individually and on behalf of all others similarly situated,

Plaintiffs,

v.

MIRAMAX FILM NY, LLC, THE WALT DISNEY COMPANY, DISNEY ENTERPRISES, INC., HARVEY WEINSTEIN, ROBERT WEINSTEIN, DIRK ZIFF, TIM SARNOFF, MARC LASRY, TARAK BEN AMMAR, LANCE MAEROV, RICHARD KOENIGSBERG, PAUL TUDOR JONES, JEFF SACKMAN, JAMES DOLAN, MIRAMAX DOES 1-10, and JOHN DOES 1-50, inclusive,

Defendants



No. 1:18-cv-04857 (AKH)

ORAL ARGUMENT REQUESTED

**NOTICE OF THE WALT DISNEY COMPANY AND DISNEY ENTERPRISES, INC.'S  
MOTION TO DISMISS THE FIRST AMENDED CLASS ACTION COMPLAINT**

PLEASE TAKE NOTICE that, upon the First Amended Class Action Complaint (ECF 11) and the accompanying memorandum of law, Defendants The Walt Disney Company and Disney Enterprises, Inc. (together, "Disney") hereby move this Court before Hon. Alvin K. Hellerstein, 500 Pearl Street, New York, NY, for an order pursuant to Federal Rule of Civil Procedure 12(b)(6) dismissing Count III in the First Amended Class Action Complaint, the only count brought against Disney, terminating Disney from the case and granting such other and further relief as the Court deems just and proper.

*The motion is denied without prejudice. Disney may renew the motion in conjunction with the responsive pleadings of co-defendants following the oral argument in Gelu, 17-cv-9554, scheduled for September 12, 2018.*

*Alvin K. Hellerstein* 8/6/18

July 27, 2018

Respectfully submitted,

CRAVATH, SWAINE & MOORE LLP,

by

/s/ Evan R. Chesler

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Evan R. Chesler  
J. Wesley Earnhardt  
Members of the Firm

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